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U.S. Department of Commerce Patent and Trademark Office		Application Number	10/807,368
		Filing Date	March 22, 2004
		First Named Inventor	John P. Lunsford
		Group Art Unit Number	Not yet known
		Examiner Name	Not yet known
Total Number of Pages in This Submission	9*	Attorney Docket Number	80121-08961

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REMARKS: *Page count does not include cited references.

SIGNATURE OF ATTORNEY OR AGENT	
Signature:	<i>A. C. Smith</i>
Attorney/Reg. No.:	Albert C. Smith, Reg. No. 20,355
Dated: 6/17/04	

CERTIFICATE OF MAILING	
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Signature:	<i>A. C. Smith</i>
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Express Mail Mailing Number (optional):	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: John P. Lunsford, Charles J. Adam, John W. Davis and Albert K. Chin

APPLICATION NO.: 10/807,368

FILING DATE: March 22, 2004

TITLE: Vessel Retraction Device And Method

EXAMINER: Not yet known

GROUP ART UNIT: Not yet known

ATTY. DKT. NO.: 80121-08961

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

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INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
 - Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
 - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. APPLICATION NO., filed on DATE FILED, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,

JOHN P. LUNSFORD ET AL.

Dated: 6/17/04

By: Albert C. Smith

Albert C. Smith, Reg. No.:20,355

Fenwick & West LLP

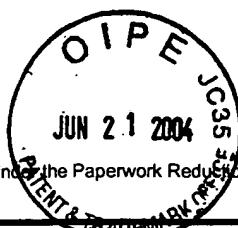
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet

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Complete if Known

Application No.	10/807,368
Filing Date	March 22, 2004
First Named Inventor	John P. Lunsford
Art Unit	Not yet known
Examiner Name	Not yet known
Attorney Docket Number	80121-08961

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No.	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	US-6,520,975	02-18-2003	Branco	
	US-6,387,043	05-14-2002	Yoon	
	US-6,176,825	01-23-2001	Chin, et al.	
	US-6,162,173	12-19-2000	Chin, et al.	
	US-5,957,936	09-28-1999	Yoon, et al.	
	US-5,938,620	08-17-1999	Daxer	
	US-5,913,870	06-22-1999	DeFonzo, et al.	
	US-5,897,487	04-27-1999	Ouchi	
	US-5,895,353	04-20-1999	Lunsford, et al.	
	US-5,895,352	04-20-1999	Kleiner	
	US-5,857,961	01-12-1999	Vanden Hoek, et al.	
	US-5,843,121	12-01-1998	Yoon	
	US-5,762,606	06-09-1998	Minnich	
	US-5,738,628	04-14-1998	Sierocuk, et al.	
	US-5,722,934	03-03-1998	Knight, et al.	
	US-5,716,352	02-10-1998	Viola, et al.	
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	US-5,704,534	01-06-1998	Huitema, et al.	
	US-5,702,408	12-30-1997	Wales, et al.	
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	US-5,685,820	11-11-1997	Riek, et al.	
	US-5,680,982	10-28-1997	Schulze, et al.	
	US-5,673,840	10-07-1997	Schulze, et al.	
	US-5,662,662	09-02-1997	Bishop, et al.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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STATEMENT BY APPLICANT**

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<i>Complete if Known</i>	
Application No.	10/807,368
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First Named Inventor	John P. Lunsford
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Examiner Name	Not yet known
Attorney Docket Number	80121-08961

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No.	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	US-5,656,012	08-12-1997	Sienkiewicz	
	US-5,634,584	06-03-1997	Okorocha et al.	
	US-5,630,787	05-20-1997	Yabe et al.	
	US-5,626,587	05-06-1997	Bishop et al.	
	US-5,588,581	12-31-1996	Conlon et al.	
	US-5,569,183	10-29-1996	Kieturakis	
	US-5,564,615	10-15-1996	Bishop et al.	
	US-5,558,620	09-24-1996	Heckele et al.	
	US-5,554,101	09-10-1996	Matula, et al.	
	US-5,553,496	09-10-1996	Nishiyama, et al.	
	US-5,535,759	07-16-1996	Wilk	
	US-5,514,153	05-07-1996	Bonutti	
	US-5,512,037	04-30-1996	Russell et al.	
	US-5,505,686	04-09-1996	Willis et al.	
	US-5,501,654	03-26-1996	Failla et al.	
	US-5,450,842	09-19-1995	Tovey et al.	
	US-5,419,309	05-30-1995	Biehl	
	US-5,395,383	03-07-1995	Adams et al.	
	US-5,374,277	12-20-1994	Hassler	
	US-5,370,109	12-06-1994	Cuny	
	US-5,368,015	11-29-1994	Wilk	
	US-5,345,927	09-13-1994	Bonutti	
	US-5,339,803	08-23-1994	Mayzels et al.	
	US-5,337,736	08-16-1994	Reddy	

Examiner Signature	Date Considered
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Examiner Initials*	Cite No. ¹	Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-5,284,128	02-08-1994	Hart
		US-5,275,608	01-04-1994	Forman et al.
		US-5,271,385	12-21-1993	Bailey
		US-5,251,613	10-12-1993	Adair
		US-5,230,621	07-27-1993	Jacoby
		US-4,991,565	02-12-1991	Takahashi et al.
		US-4,874,375	10-17-1989	Ellison
		US-4,858,595	08-22-1989	Buess, et al.
		US-4,838,246	06-13-1989	Hahn, et al.
		US-4,773,394	09-28-1988	Reichstein et al.
		US-4,744,363	05-17-1988	Hasson
		US-4,667,655	05-26-1987	Ogiu, et al.
		US-4,651,733	03-24-1987	Mobin-Uddin
		US-4,557,255	12-10-1985	Goodman
		US-4,428,746	01-31-1984	Mendez
		US-4,232,660	11-11-1980	Coles
		US-4,190,042	02-26-1980	Sinnreich
		US-3,866,601	02-18-1975	Russell
		US-3,857,386	12-31-1974	Ashbell
		US-3,835,841	09-17-1974	Terada
		US-3,357,433	12-12-1967	Fourestier et al.
		US-3,313,294	04-11-1967	Uddenberg
		US-2,281,190	04-28-1942	Bertalan et al.
		US-2,227,727	01-07-1941	Leggiadro

Examiner Signature		Date Considered	
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		US-2,220,720	11-05-1940	Jett
		US-2,162,681	06-13-1939	Ryan
		US-1,727,495	09-10-1929	Wappler
		US-79,015	06-16-1868	Schulz

FOREIGN PATENT DOCUMENTS				
		Foreign Patent Document		
Examiner Initials*	Cite No. ¹	Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		EP 0681811 A2	11-15-1995	United States Surgical Corporation
		EP 0761171 A2	03-12-1997	Olympus Optical Co., Ltd.
		WO 97/26831	07-31-1997	Origin Medsystems, Inc.

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		

Examiner Signature		Date Considered	
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